

UNITED STATES OF AMERICA
POSTAL REGULATORY COMMISSION
WASHINGTON, DC 20268-0001

Witter Post Office
Witter, Arkansas

Docket No. A2012-14

REPLY BRIEF OF THE PUBLIC REPRESENTATIVE

December 22, 2011

On October 17, 2011, the Commission received a petition to review the Postal Service's decision to close the Witter post office in Witter, Arkansas (Witter post office).¹ On October 20, 2011, the Commission issued Order No. 915, which institutes the current review proceeding, appoints a Public Representative, and establishes a procedural schedule.² In accordance with Order No. 915, the Postal Service filed the administrative record for the closing.³ Petitioner Russell filed a Participant's Statement.⁴ The Postal Service filed comments concerning the appeal.⁵

The Public Representative's Reply Brief is written to bring several issues to the attention of the Commission to better inform the Commission in completing its review.

The Public Representative finds the following Postal Service statement in the Addendum to the Administrative Record troubling:

¹ Petition for Review received from Joy Russell regarding the Witter, AR Post Office 72776, October 17, 2011 (Petition).

² Notice and Order Accepting Appeal and Establishing Procedural Schedule, October 20, 2011 (Order No. 915).

³ United States Notice of Filing, November 1, 2011; *see also* United States Postal Service Notice of Filing of Addendum to the Administrative Record, December 2, 2012 (Administrative Record). The Final Determination appears as item 47 of the Administrative Record.

⁴ Participant Statement received from Joy Russell regarding the Witter, AR Post Office 72776, November 21, 2011 (Participant Statement).

⁵ United States Postal Service Comments Regarding Appeal, December 12, 2011 (Postal Service Comments).

If the Postal Service decided to provide Cluster Box Units (CBUs) to Witter Post Office Box customers, the cost would be approximately \$2300 for 3 units. Possible locations for the CBUs would be the volunteer fire department or the vacant lot near the current post office.

The Postal Service does not know whether or not it will be installing CBUs, nor has it selected a location for the CBUs. The Public Representative believes that answers to these questions would be essential elements to evaluating whether or not Witter customers will continue to receive effective and regular postal services after closure. The Postal Service apparently still has not decided upon what service will be provided. The community should have answers to these questions to be fully informed of its options, and to evaluate the potential for an appeal of the Final Determination.

The Final Determination indicates the postmaster retired on May 1, 2009. Administrative Record, Item No. 47. The calculation of economic savings based upon a postmaster salary, and not the actual salary of the OIC, remains problematic and likely inflates any economic benefit that the Postal Service will realize by closing this office. The economic benefit further assumes that the OIC will be terminated and not reassigned.

Even accepting the inclusion of a postmaster's salary in the estimate of savings, the \$45,599 savings estimate provided in the Final Determination is significantly inflated. The Postal Service Addendum to the Administrative Record indicates the Postal Service will incur an additional recurring expense of \$7,955 for delivery service as of March 31, 2012 (assuming current contract rates), and a potential one-time expense of \$2,300 for the installation of cluster box units. The estimate of savings should be reduced by these amounts.

Finally, the Postal Service has provided no guidance on how far, in time and distance, is too far to expect customers to travel in order to obtain effective and regular postal services. In this instance, the administrative responsibility for providing postal services lies with the Huntsville post office which is located 11 miles away. The Public Representative again suggests that the Commission require the Postal Service to disclose its standards on time and distance. If the Postal Service is unable or unwilling

to provide this information, it may be time for the Commission to establish standards on its own for evaluating this issue.

The Postal Service's Final Determination to close the Witter post office appears procedurally in order. However, the estimate of cost savings, full disclosure of what type of service will be provided after closure (installation of CBUs or not), and the reasonableness of the distance to the alternative postal retail facility are problematic.

Respectfully submitted,

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